

1 RICHARD DOYLE, City Attorney (#88625)
2 GEORGE RIOS, Assistant City Attorney (#077908)
3 DAISY M. NISHIGAYA, Deputy City Attorney (#186614)
4 Office of the City Attorney
200 E. Santa Clara Street
San Jose, California 95113
Telephone: (408) 535-1900

5 Attorneys for Plaintiff CITY OF SAN JOSE and
6 PEOPLE OF THE STATE OF CALIFORNIA

7
8 DENIS F. SHANAGHER (#100222)
9 LUCE, FORWARD, HAMILTON & SCRIPPS LLP
10 121 Spear Street, Suite 200
San Francisco, CA 94105
Telephone: (415) 356-4626

11 Attorneys for Plaintiff GINDIN-R&B COMPANY

12
13 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA

14 CITY OF SAN JOSE; PEOPLE OF THE
15 STATE OF CALIFORNIA; GINDIN-R&B
16 COMPANY

17 Plaintiff,

18 vs.

19 MARTIN & ROSANNA ALVAREZ, et al.

20 Defendants.

NO. 1-96-CV 759667

21 **DECLARATION OF JOE CABRERA IN**
22 **SUPPORT OF MOTION TO MODIFY**
23 **THE PERMANENT INJUNCTION AND**
24 **FINAL JUDGMENT PURSUANT TO**
25 **STIPULATION FILED ON APRIL 11,**
26 **1997**

27 **DATE: January 29, 2010**
28 **TIME: 9:00 a.m.**
DEPT: 5
JUDGE: Hon. Mary Jo Levinger

I, Joe Cabrera, declare as follows:

1. My wife and I are owners of 1375 Tami Lee Drive, San Jose, CA 95112. We have owned this real property since on or about July 13, 1977.

1 2. My property is under the Permanent Injunction and Final Judgment Pursuant to
2 Stipulation filed on April 11, 1997, (hereinafter "Permanent Injunction").

3 3. I have contracted with Alice Ogasawara of Realty World Premier Properties for
4 the required court-approved property management.

5 4. In my opinion, as a property owner under the Permanent Injunction, I believe that
6 the Injunction cleans up the area. I approve of providing required security in the
7 neighborhood. I believe that there is a lot of drug dealing that takes place in the
8 neighborhood. I support anything that we can do to get extra enforcement to get rid of the
9 druggies. Further, I believe that having the Injunction enhances the neighborhood, which in
10 turn protects my investment in the property.

11 I declare under penalty of perjury under the laws of the State of California that the
12 foregoing is true and correct. As to those matters alleged on information and belief, I am
13 informed and believe them to be true and correct. This declaration was executed on
14 December 23, 2009, at San Jose, California.

15
16 
17 Joe Cabrera
18
19
20
21
22
23
24
25
26
27
28